

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
CRIMINAL CASE NO. 1:23-cr-00051-MR-WCM-1**

UNITED STATES OF AMERICA,)	
)	
vs.)	<u>ORDER</u>
)	
JAMES LEWIS SANFORD,)	
)	
Defendant.)	
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THIS MATTER is before this Court on Defendant's Motion to Suppress [Doc. 26] and the Magistrate Judge's Memorandum and Recommendation [Doc. 49] regarding the disposition of that motion.

Pursuant to 28 U.S.C. § 636(b) and the outstanding Orders of Designation of this Court, the Honorable W. Carleton Metcalf, United States Magistrate Judge, was designated to consider Defendant's motion and to submit a recommendation for its disposition.

On November 2, 2023, the Magistrate Judge filed a Memorandum and Recommendation in this case containing conclusions of law in support of a recommendation regarding Defendant's motion. [Doc. 49]. The parties were advised that any objections to the Magistrate Judge's Memorandum and Recommendation were to be filed in writing within

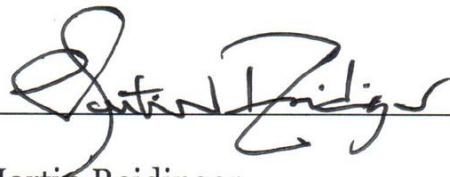
fourteen (14) days of service. The period within which to file objections has now expired, and no written objections to the Memorandum and Recommendation have been filed.

After a careful review of the Magistrate Judge's Recommendation, this Court finds that the proposed conclusions of law are consistent with current case law. Accordingly, this Court hereby accepts the Magistrate Judge's recommendation that the Defendant's Motion to Suppress should be granted in part and denied in part.

IT IS, THEREFORE, ORDERED that the Memorandum and Recommendation [Doc. 49] is **ACCEPTED** and that Defendant's Motion to Suppress [Doc. 26] is **GRANTED IN PART** and **DENIED IN PART** in accord therewith, in that the statements made by Defendant after his formal arrest are hereby suppressed, except for Defendant's question regarding what would happen to his vehicle.

IT IS SO ORDERED.

Signed: December 20, 2023



Martin Reidinger
Chief United States District Judge

